

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF THE OAK ROSE SUBDIVISION, TM 5204RPL⁵

June 22, 2006

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project will obtain its water supply from the Olivenhain Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Article IV, Section 5)?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

Even though wetlands and/or wetland buffer areas have been identified on the project, the project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project will not place any non-permitted uses within wetlands; b) the project will not allow grading, filling, construction, or placement of structures within identified wetlands; and c) the project will not allow any non-permitted uses within wetland buffer areas.

Floodways and Floodplain Fringe:

The site contains no floodways or floodplain fringe as defined by the San Diego County Resource Protection Ordinance.

Steep Slopes:

The average slope for the property is less than 25 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

Sensitive Habitats:

No RPO sensitive habitat lands were identified on the site as determined by staff and evidenced by the project's Biological Resources Assessment. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego certified archaeologist, John Cook of Mooney and Associates, who has determined that there is one (or more) archaeological site(s). A cultural resources analysis entitled, "Cultural Resource Survey for the Oak Rose Tentative Map", identified a small lithic scatter (SaP-1) consisting of five artifacts in the northern portion of the project. This resource is associated with site, CA-SDI-4497 that is located east of the project. It was determined that this site (SaP-1) represents an erosional transport of artifacts (secondary deposit) from the relatively large lithic scatter (CA-SDI-4497) located on a ridge east of the project. This site (SaP-1) does not meet the definition of a significant site. Therefore, it does not need to be preserved under the Resource Protection Ordinance.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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Discussion:

The project's Storm Water Management Plan, prepared by Tri-Dimensional Engineering and dated October 12, 2005 is in compliance with the Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO).

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion:

Even though the proposal could expose people to potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), mitigation measures are proposed to reduce the noise impacts to applicable limits. The Acoustical Analysis Report and the supporting memorandum from the consultant indicates that the location of the 60-dBA CNEL contour for this volume of traffic is approximately 90 feet from the centerline of Mt. Israel Road. Since the development of each lot is not dependent on the screening by the other lots located closer to this roadway, individual lot design changes would not be an issue for the remaining lots proposed for this project. Because the applicant has ample backyard areas on Lots 2 and 7 for noise sensitive activities, the following noise protection easement is recommended over the portion of the project that lies within this contour:

On the Final Map the applicant shall grant to the County of San Diego a Noise Protection Easement over a strip of land 90 feet from the centerline of Mt. Israel Road on Lots 2 and 7 of Tentative Map 5204RPL⁴. This easement is for the mitigation of present and anticipated future excess noise levels on residential uses of the affected lots. The easement shall require that "prior to the issuance of any building permit for any residential use within the noise protection easement, the applicant shall:

- a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County certified acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dB CNEL)]. Future traffic noise level estimates for Mt. Israel Road, must utilize a Level of Service "C" traffic flow for a Light Collector road classification which is the designated General Plan Circulation Element buildout roadway classification.
- b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans."